

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, MARCH 4, 2003

Chair Mathewson called the meeting to order at 7:00 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Mathewson, Gibson, Feierbach, Frautschi, Parsons, Torre (Arrived 7:02)

Absent, Commissioners: Wiecha

Present, Staff: Principal Planner de Melo (PP), City Attorney Savaree (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS: None

3. COMMUNITY FORUM (Public Comments): None

4. CONSENT CALENDAR:

4A. Minutes of 1/21/03

4B. Minutes of 2/4/03

4C. Resolution to approve request for deletion of Condition of Approval 1C – Minor Subdivision – 2610 Hallmark Drive (PA 99-1124)

MOTION: by Commissioner Frautschi second by Commissioner Parsons to approve items 4A and 4B the Minutes of 1/21/03 and 2/4/03.

AYES: Frautschi, Parsons, Feierbach, Gibson, Torre, Mathewson

NOES: None

Motion Passed: 6/0

4C. Resolution to approve request for deletion of Condition of Approval 1C – Minor Subdivision – 2610 Hallmark Drive (PA 99-1124)

PP de Melo summarized the Staff Report and was available for questions.

(VERBATIM MINUTES)

Chair Mathewson: I want to apologize to staff for a couple of questions that I have that I could not get to you earlier. On condition 1H lists the time limits for construction. Ordinarily we list the Holidays.

PP de Melo: Correct, the current verbiage or the boiler plate language of that condition is much longer, we did not include that for this. If the commission would like, we could add that standard language for this to augment the wording for condition 1I.

Chair Mathewson: I would prefer to see that in there so it's in black and white.

PP de Melo: Sure, we can do that.

Chair Mathewson: Then on 3J, Standard City Residential Driveway approaches shall be installed for the two new homes?

PP de Melo: 3J? Oh, under the Public Works Department. Yes, that should read Standard City Residential Driveway approaches should be installed for construction of any home on lot two.

Chair Mathewson: OK, any home on lot two. Then condition, as I said I apologize for this, 4I is redundant to the last sentence on 4H. It talks about the fire hydrants being operational and on site, and it says the same thing - proposes the last sentence on H and the full condition on I.

PP de Melo: Ok, so you're suggesting the removal of condition 4I.

Chair Mathewson: Yes

PP de Melo: Ok, we can do that.

Chair Mathewson: And my last but not least is: a blue pavement marker shall be placed in the middle of the road or street to indicate the location of the fire hydrants. Are there one or two fire hydrants? Just one?

PP de Melo: There would be one fire hydrant.

Commissioner Feierbach: Carlos, through the Chair, I'm looking at the resolution that we're going to vote on tonight and I see a couple of whereas'es talking about dedication of one of the lots in the subdivision to permanent open space. And I asked the question, I understand you talked about easement, but what about, what if the city does not accept that lot. What happens then? What I'm trying to understand is what is the status of that lot....

City Attorney Savaree: We are not taking ownership of the lot. He will be required to execute an easement which he will remain the owner of the lot and he will be responsible for the maintenance of the lot but he is coveting that that lot will remain in open space and he will never develop it.

Commissioner Feierbach: Ok, I just wanted to make sure that this resolution, I understand that you've talked about easements in the staff report, I wanted to make sure that it is in accordance with that because it talks about, lets see, dedication to one lot to open space ...

City Attorney Savaree: We will not be taking the lot, we will not be taking any ownership interest in it. The easement that I've drafted shows that the maintenance responsibilities remain with him and that the lot remains in open space.

Commissioner Feierbach: OK - fine, Thank you.

Commissioner Torre: Just a small question, and it's not about the conditions I just wanted to know whether the progress of your work with the applicant indicates that they should be able to execute this easement within the next 90 days.

City Attorney Savaree: They should be able to execute it easily within the 90 days because they have had the language for probably a year and a half and refused to execute it. So this will give them a close ended time frame within which to do it.

Commissioner Torre: And is there anything in your discussions with them that has lead you to expect that they are ready to do it now? Or Not?

City Attorney Savaree: I have not spoken to Mr. Talbert recently. His attorneys had indicated to me many times that he will be signing it, so....I hope this will give him the impetus to do that.

Chair Mathewson: Ok, would someone care to move the resolution?

MOTION: by Commissioner Parsons second by Commissioner Torre to move the resolution of the Planning Commission of the City of Belmont approving removal of condition 1C of resolution number 1999-73 minor subdivision at 2610 Hallmark Drive with the conditions attached contingent upon the dedication of one of the lots to permanent open space and minor wording changes to the conditions.

AYES: Parsons, Torre, Frautschi, Feierbach, Gibson, Mathewson

NOES: None

Motion Passed 6/0

Chair Mathewson: I would like to note for the record that that was quite a change from the vote that we took at our last meeting which had different numbers attached to it.

City Attorney Savaree: Staff appreciates that. Thank you.

Commissioner Parsons: I would if I may, like to thank Staff and especially Jean, I suspect, for writing the resolution.

City Attorney Savaree: I give Carlos the credit for the 90 days.

Commissioner Parsons: Thank you, Carlos.

(END OF VERBATIM MINUTES)

5A. PUBLIC HEARING - 550 Island Parkway

To consider a Conditional Use Permit and Design Review to alter and expand an existing AT&T Wireless cellular equipment facility. The proposal includes replacement of antennae mounted on a light pole as well as expansion of an existing equipment pad. (Appl. No. 02-0056)

APN: 040-360-390; Zoned: PD (Planned Development)

CEQA Status: Categorical Exemption

AT&T Wireless (Applicant)

City of Belmont (Owners)

PP de Melo summarized the Staff Report and was available for questions.

PP de Melo confirmed for C Torre that the applicant would still provide the additional three trees.

Chair Mathewson asked staff if he was still correct that the only way that one could vote against something like this based on the telecommunications act of 1996 is aesthetics, is that correct?

CA Savaree replied, that that was correct.

Applicant Liz Johnson, representing At & T Wireless stated she agreed with Staff's recommendations as well as the latest change to relocate back 6-7 feet. She went on to say that once she receives Planning Commission approval they would be working out a lease with the Park & Recreation Department.

MOTION: by C Parsons second by C Torre to close the Public Hearing.

Public Hearing closed.

Discussion

MOTION: by C Torre second by C Parsons to move the resolution of the Planning Commission of the City of Belmont approving a Conditional Use Permit and Design Review at 550 Island Parkway.

AYES: Torre, Parsons, Frautschi, Feierbach, Gibson

NOES: Mathewson

Motion Passed 5/1

Chair Mathewson announced this may be appealed to City Council within 10 days

6. NEW BUSINESS

6A. Single Family Design Review – Study Session

As Community Development Director was out ill and this was his project, Chair Mathewson requested that each Commissioner list their comments without discussion. The Commissions comments would be forwarded to CDD Ewing for a future Study Session to be scheduled by CDD Ewing.

7. REPORTS, STUDIES, UPDATES, AND COMMENTS

C Frautschi updated the Commission on the Outdoor Recreation Task Force which had their last field trip on Saturday. They visited the four potential open space areas. Final decisions still need to be made on finances and bond requests.

Chair Mathewson thanked Commissioner Feierbach for her service to the Commission.

C Frautschi thanked Commissioner Feierbach for her help and support.

Chair Mathewson mentioned the New Commissioners will be selected by the Council on 3/11/03 and that he may need to assign existing Commissioners as mentors.

C Torre made herself available as a mentor.

8. PLANNING COMMISSION LIAISON TO CITY COUNCIL MEETING OF TUESDAY,

March 11, 2003.

Liaison: Commissioner Torre

Alternate Liaison: Commissioner Gibson

9. ADJOURNMENT:

The meeting adjourned at 8:16 p.m. to a regular meeting on March 18, 2003 at 7:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

Audiotapes of Planning Commission Meetings are available for review

in the Community Development Department

Please call (650) 595-7417 to schedule an appointment.